

Minutes of the regular meeting of the Fairfax City Council on Tuesday, February 24, 2004, at 7:00 p.m., in Council Chambers at Fairfax City Hall.

Members Present:

Mayor Lederer and Councilmembers Cross, Greenfield, Lyon, Rasmussen, Silverthorne and Winter.

Members Absent:

None.

Invocation.

Reverend Thompson of Mt. Calvary Baptist Church gave the invocation.

Pledge of Allegiance.

The Mayor led the Council in the Pledge of Allegiance.

Adoption of the agenda.

Councilman Silverthorne moved adoption of the agenda.

Councilman Greenfield seconded the motion, which carried unanimously by voice vote.

City Manager Robert Sisson introduced a new City employee, Willis Shafer. He said Mr. Shafer started a few months ago and succeeds Ron Shillingburg in the Public Works department.

Presentations by the public on any item not subject to public hearing.

Mr. Jerry O'Dell, 3920 Bradwater Street, spoke about the upcoming elections and the Comprehensive Plan.

Consent agenda.

Councilman Greenfield moved adoption of the following consent agenda:

- Agenda item #6a, Introduction of an ordinance amending Article II, Chapter 66 of the City Code pertaining to changes in the Retirement Plan for City Employees;

And for agenda items #6a, he moved to waive the first reading and set the public hearing for March 9, 2004.

Councilman Silverthorne seconded the motion.

The Mayor asked if anyone objected to or wished to abstain to any of the items.

Councilman Rasmussen abstained.

The Mayor called for a vote on the motion, which carried by a vote of 5-0-1, recorded as follows: In favor, Councilmembers Cross, Greenfield, Lyon, Silverthorne and Winter; opposed, none; abstained, Councilmember Rasmussen.

Public hearing and Council action on a resolution in support of the Enhancement Fund Grant Application for Blenheim (introduced February 10, 2004).

The public hearing was properly advertised in the February 13 and 19, 2004, issues of *The Washington Times*.

Director of Historic Resources Chris Martin gave the staff report, which is incorporated into the record by reference. He said the City is requesting funds through the VDOT Enhancement Program for the Blenheim restoration project. He emphasized the need to complete the project by 2005 to highlight it as a bicentennial accomplishment. He said the City is not submitting any other enhancement proposals so there is no internal competition. He said there were three letters of support from Historic Fairfax City, Inc., the Old Lee Hills Civic Association and the Central Fairfax Chamber of Commerce emphasizing Blenheim's importance in the Destination Fairfax tourism initiative. Staff recommended Council approve the application.

The Mayor opened the public hearing and invited the public to speak.

Ms. Andrea Lowenwater, 3618 Heritage Lane, thanked the Council for their support of Blenheim and thinks the grant is a fantastic opportunity. She said it would allow them to continue the process of developing Blenheim for the 2005 opening of the site.

Mr. Jerry O'Dell, 3920 Bradwater Street, said it should not result in the streets being less accessible to autos, busses and trucks because the bicycle path will be more available to pedestrians and bikes. He said he hoped it was not a device to confiscate private property for the benefit of private land developers.

Hearing no further speakers, the Mayor closed the public hearing.

Councilman Rasmussen moved that City Council approve a resolution in support of the Enhancement Fund Grant Application for Blenheim.

Councilmember Winter seconded the motion.

The Mayor called for a vote on the motion, which carried unanimously by voice vote.

Public hearing and Council action on an appropriation resolution in the amount of \$200,000 for amendments to the design contract for George Mason Boulevard, Phase II (introduced February 10, 2004).

The public hearing was properly advertised in the February 19, 2004, issue of *The Washington Times*.

Public Works Director John Veneziano gave the staff report, which is incorporated into the record by reference. He said the funds would be reimbursed through the State from the Federal Grant received for the George Mason Boulevard project. He said the funds should have been appropriated seven years ago. He said the funds requested tonight should be sufficient for all the potential design items that may arise. It is anticipated that construction would not begin until the next fiscal year.

The Mayor opened the public hearing and invited the public to speak.

Mr. Jerry O'Dell, 3920 Bradwater Street, urged Council to obtain the State funding before committing the funds.

Hearing no further speakers, the Mayor closed the public hearing.

Councilman Greenfield moved to adopt an appropriation resolution in the amount of \$200,000 for amendments to the design contract for George Mason Boulevard, Phase II.

Councilwoman Cross seconded the motion.

The Mayor called for a vote on the motion, which carried unanimously by voice vote.

Public hearing and Council action on an appropriation resolution in the amount of \$28,000 for the Lee Highway Task Force Communication / Marketing Program (introduced February 10, 2004).

The public hearing was properly advertised in the February 19, 2004, issue of *The Washington Times*.

Economic Development Director Earl Berner gave the staff report, which is incorporated into the record by reference. He said the Task Force is requesting the funds for a marketing/communication campaign to present their recommendations on the Lee Highway revitalization to business and property owners in the corridor. The funds would pay for a slide

show, publicity, invitations, marketing materials and room rental fees for the presentations they plan to hold.

The Mayor opened the public hearing and invited the public to speak.

Hearing none, the Mayor closed the public hearing.

Councilman Silverthorne moved approval of the appropriation resolution in the amount of \$28,000 for the Lee Highway Task Force to fund a communications and marketing plan for the revitalization of the Lee Highway Corridor.

Councilwoman Winter seconded the motion.

The Mayor called for a vote on the motion, which carried unanimously by voice vote.

Closed meeting.

The Mayor moved that the City Council convene in a closed meeting pursuant to Section 2.2-3711.A.3 of the *Code of Virginia* to discuss acquisition of certain real property for public purposes and Section 2.2-3711.A.7 for consultation with legal counsel for legal advice.

Councilman Silverthorne seconded the motion, which carried by a vote of 7-0, recorded as follows: In favor, Mayor Lederer and Councilmembers Cross, Greenfield, Lyon, Rasmussen, Silverthorne and Winter; opposed, none.

Council went into a closed meeting at 7:22 p.m., and reconvened the meeting at 7:45 p.m.

The Mayor said Council concluded its closed meeting to discuss acquisition of certain real property for public purposes and for consultation with legal counsel for legal advice.

The Mayor moved that each member of Council certify that to the best of each Council member's knowledge, only public business matters lawfully exempted from the open meeting requirements in the Virginia Freedom of Information Act and only public business matters identified in the motion convening the closed meeting were heard, discussed or considered.

Councilman Silverthorne seconded the motion, which carried by a roll call vote of 7-0, recorded as follows: In favor, Mayor Lederer and Councilmembers Cross, Greenfield, Lyon, Rasmussen, Silverthorne and Winter; opposed, none.

Consideration of a resolution authorizing the City Manager to enter into a settlement agreement with Artery Homes, LLC and Metropolitan Land Company, LLC arising out of prior litigation.

Councilwoman Lyon moved to adopt a resolution authorizing the City Manager to enter into a settlement agreement with Artery Custom Homes, LLC, and Metropolitan Land Company, LLC, arising out of prior litigation.

Councilman Rasmussen seconded the motion.

The Mayor called for a vote on the motion, which carried unanimously by voice vote.

Approval of minutes.

Councilman Greenfield moved approval of the minutes of November 25, 2003.

Councilmember Winter seconded the motion, which carried unanimously by voice vote.

Comments by City Council.

Councilwoman Cross questioned why they were approving such old minutes.

The City Manager explained the office was in transition and expected the minutes to be more up to date since a new clerk was appointed.

Councilman Greenfield asked for Council concurrence to direct staff to initiate procedures to remove three abandoned homes on School Street. There were no objections.

The City Manager said he would start the process.

Councilman Rasmussen had no comments.

Councilman Silverthorne talked about the upcoming elections and said he was disappointed that no one was running. He said he hopes that people who have an interest serving the community would consider running for office or serving for boards and commissions.

Councilwoman Lyon had no comments.

Councilmember Winter had no comments.

Mayor Lederer referenced an article in *The Washington Post* about the County's intent to relook at their tax abatement program for seniors and increasing the assessment level from \$190,000 to \$240,000. The Mayor directed staff to develop a memo to Council indicating what the budget implications would be if the City followed suit.

Adjournment.

The meeting adjourned at 7:50 p.m.

Mayor

ATTEST:

City Clerk